

**MINUTES OF THE 383rd MEETING OF THE LABOUR RELATIONS AGENCY BOARD
HELD AT 2.00 pm ON THURSDAY, 31 JANUARY 2013
IN THE AGENCY'S OFFICES, GORDON STREET, BELFAST**

Present: Jim McCusker (Chair)
Albert Mills
Neal Willis
Gordon Parkes
Trevor Morrow
Alison Millar
Pauline Shepherd
Lyn Fawcett
Karen Tarr
Maxine Murphy-Higgins

In Attendance: Bill Patterson (Chief Executive)
Gerry O'Neill (Director, Corporate Services)
Anne Gunning (Minutes Secretary)

Action

1. Apologies

There were apologies from Sally McKee, Gary McMichael, David McGrath and Penny Holloway.

The Chairman informed the Board that David McGrath's father had died. He expressed his sympathy, on behalf of the Board, to David.

2. Minutes of Previous Meeting held on 20 December 2012

The minutes of the meeting held on 20 December 2012 were proposed by Alison Millar seconded by Neal Willis, and agreed as a true and accurate record of the meeting.

3. Matters Arising from the Previous Minutes not listed on this Agenda

3. 6.1 DEL Quarterly Review of LRA

It was noted that the meeting arranged with DEL to discuss the closing of the report had been postponed by DEL. A new date is to be proposed by DEL.

6.5 LRA/Industrial Court MoU and Protocol

It was noted that the LRA/Industrial Court MoU and Protocol had been signed by both parties and was now in place.

6.6 Collective Conciliation Mediation Evaluation Reports

Contact is to be made with the DEL PR section in relation to the issue of press releases for the Collective Conciliation report and the Mediation report.

4. Chairman's Business

4.1 Declarations of Interests

No interests were declared by members.

4.2 Board Member Training

The Chairman reported on his attendance at a seminar in the University of Ulster on Globalisation.

The CEO reported that he had attended a very informative seminar on Tribunal Reform at the Bar Library on 25 January.

4.3 Update on Stakeholder Meetings

The Chairman reported on the ER Roundtable meeting with the DEL Minister 9 January 2013 in Adelaide House.

The Minister welcomed the setting up of the Roundtable. He suggested that the Roundtable meet more frequently given the current employment law agenda. Discussion covered the relationship between the Roundtable, the Minister and his Department, international best practice on employment relations, the correlation between employment relations and competitiveness and SME employment relations. He indicated that a consultative paper on aspects of employment relations and employment law is in preparation.

It was noted that the Roundtable workshop on 8 February will discuss three priority topics arising out of the Minister's statement on NI employment law (1) the routing of claims to the LRA (2) the qualifying period for unfair dismissal and (3) the reform of Tribunals. The Minister's request to meet more frequently will also be discussed.

Chair/CEO

4.4 DEL/LRA Management Statement/Financial Memorandum

It was noted that the Chairman and CEO had met with Tom Evans on 14 January. The outstanding issues relating to the MS/FM were discussed. Tom Evans is to consider whether another meeting is necessary.

Chair/CEO

4.5 Visit to the European Foundation and LRC Dublin

Travel arrangements for the agreed visit to the European Foundation in Dublin on 21 February were confirmed. Members will be travelling on the early train to Dublin (6.50 am/returning from Dublin at 7.00 pm). After the meeting in the European Foundation, the Board will meet with the LRC.

The Chairman asked members for suggestions for the LRA/LRC discussions.

**Board
Members**

4.6 LRA/International Agencies Conference

It was noted that the content of the conference would be discussed by Kieran Mulvey and the CEO 18 February. The Chairman went through the proposed programme for the day.

4.6 Board Sub-Committee Membership

It was noted that Pauline Shepherd had agreed to serve on the Audit Sub-Committee and Albert Mills on the Finance & Personnel Sub-Committee.

4.7 Re-appointment to LRA Board

It was noted that Gordon Parkes and Sally McKee had been re-appointed as members of the Agency Board for a second term as from 1 January 2013.

5. Chief Executive's Business

5.1 Corporate Plan 2011-2014 & Business Plan 2013-14 (Paper 1/13)

It was noted that achievements for the end of the current year had been outlined. Three outstanding matters have been brought forward to the 2013-14 performance year. The Business Plan was approved for submission to DEL, with some minor amendments. A chart reflecting performance against the Corporate Plan objectives is to be included as an appendix to the 2013-14 Business Plan.

CEO

5.2 Anti-Fraud Policy (Paper 2/13)

The CEO presented the revised Anti-Fraud Policy and Fraud Response Plan. Certain points were clarified. It was agreed to include an appropriate cross reference to other relevant policies and procedures. The policy paper was agreed. It was noted that the policy paper will be forwarded to the TUS for information.

CEO

5.3 Neutral Assessment (Paper 3/13)

The Board discussed neutral assessment as a potential addition within the range of the Agency's ADR services. Following discussion it was agreed that, in principle, a neutral assessment service should be considered. It was also agreed that a response to DEL would refer to the 12 principles upon which the Agency would assess the feasibility of neutral assessment.

Chair/CEO

5.4 Delivery model for routing all claims through the LRA

The discussion paper was welcomed. Following extensive discussion it was agreed that a further paper clarifying a re-routing process was required before a decision could be made.

CEO

5.5 Enhanced promotion of PCC and arbitration

It was noted that promotion of PCC and statutory arbitration was ongoing. However, it

was the view of the Board that enhanced promotion of all ADR services is necessary. **CEO/DIRS**

5.6 Seminar on developments in employment law

It was agreed that the Agency arrange a seminar to follow the publication of the DEL employment relations and employment law consultation document. The publication date is, as yet, unknown. **CEO**

5.7 Board Member Induction

It was noted that responses from Board members to the review of Board member induction had been positive. It was agreed that a formal process for induction will be set in place. **CEO**

5.8 Employment Law Agenda 2012-15 (table)

Following discussion it was agreed that a paper on the current TUPE consultation document should be submitted to the Board. The contents of the table were noted. **CEO**

5.9 DEL Advisory Group

It was noted that the Advisory Group will meet on 4 February. **CEO**

6. Finance & Personnel Sub-Committee Meeting

6.1 Record note of the meeting held on 27 September 2012 (Paper FPM3/12)

It was noted that the Finance & Personnel Sub-Committee meeting had met that morning. Only one member in attendance had been present at the meeting on 27 September, therefore the minutes of the meeting had not been ratified. These will be ratified at a future F&P meeting. **CEO**

6.2 Meeting held on 31 January 2013

The Chairman provided a verbal report of the meeting on 31 January. The report was noted.

7. Corporate Correspondence Received Relevant to Board

7.1 Letter dated 6 December 2012 from A Patterson, HSENI re Consultative Document: Proposals for the Health & Safety (Sharp Instruments in Healthcare) Regulations (NI) 2013 (No comment response sent CEO 6 December 2012)

Noted.

8. Any Other Business

It was agreed that an extra session of the Board will be held on Thursday, 7 March in the afternoon to consider business not concluded at the Board meeting 28 February 2013.

CEO

There was no other business reported.

9. Date of Next Meeting

The next Board meeting will be held on Thursday, 28 February 2013 at 10.00 am in Gordon Street.